IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 37142 of 2007(V)

PETITIONER:

REMADEVI, AGED 46 YEARS,
W/O. T.V.KUNHIKRISHNAN, LADY HEALTH INSPECTOR,
COMMUNITY HEALTH CENTRE MAYYIL, KANNUR DISTRICT,
RESIDING AT OTHAYOTH VEEDU, KOOTTUMUGHAM,
SREEKANDAPURAM (VIA), KANNUR-670 631.

BY ADV. SRI.M.SASINDRAN
SRI.TOJAN J. VATHIKULAM

RESPONDENTS:
----

1. **THE DIRECTOR OF HEALTH SERVICES,**
   THIRUVANANTHAPURAM.

2. **THE DISTRICT MEDICAL OFFICER (HEALTH),**
   KANNUR.

3. **STATE OF KERALA,**
   REPRESENTED BY SECRETARY TO GOVERNMENT,
   DEPARTMENT OF HEALTH, SECRETARIAT,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

==========

W.P.(C)NO.37142 OF 2007

==========

Dated this the 14th day of December 2007

JUDGMENT

The petitioner was promoted as a Lady Health Inspector under Ext.P2 order, taking note of the seniority in the post of Junior Public Health Nurse Grade I, in the Kannur District. The same list also assigned the petitioner's seniority in Palakkad District where she had been earlier appointed. By Ext.P4 order, the first respondent, on the premise that the petitioner's seniority had been noted in Ext.P2 taking into account the period she had served in Palakkad District also proceeded to revert the petitioner to the post of Junior Public Health Nurse Grade I. Petitioner contends that the very factual premise on which Ext.P4 order has been passed is wrong. Further Ext.P4 order was passed without notice to the petitioner.

2. After having heard the learned counsel for the petitioner and the learned Government Pleader, I am of the view that the petitioner should bring these facts to the notice of the government. The petitioner has a case that in Ext.P2, her seniority in Kannur District alone has been taken note of for the purpose of promoting her to the post of Lady Health Inspector. In the circumstances, if a

representation is filed before the third respondent within four weeks from today, it shall be disposed of after hearing the petitioner, within a period of two months thereafter. Petitioner shall be permitted to continue as a Lady Health Inspector till a decision is taken by the government in the manner aforementioned.

V.GIRI, JUDGE

css/